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20 UBER TECHNOLOGIES, INC.  
and OTTOMOTTO LLC

21 UNITED STATES DISTRICT COURT  
22 NORTHERN DISTRICT OF CALIFORNIA  
23 SAN FRANCISCO DIVISION

24 WAYMO LLC,

Case No. 3:17-cv-00939-WHA

25 Plaintiff,

**DEFENDANTS UBER  
TECHNOLOGIES, INC. AND  
OTTOMOTTO LLC’S OBJECTIONS  
AND RESPONSES TO WAYMO’S  
SECOND SET OF REQUESTS FOR  
PRODUCTION OF DOCUMENTS  
(NOS. 92-152)**

26 v.

27 UBER TECHNOLOGIES, INC.,  
OTTOMOTTO LLC; OTTO TRUCKING LLC,

28 Defendants.

Trial Date: October 2, 2017

1           In accordance with Rule 34 of the Federal Rules of Civil Procedure, Defendants Uber  
2 Technologies, Inc. and Ottomotto LLC (collectively “Defendants”) object and respond to Plaintiff  
3 Waymo LLC’s Second Set of Requests for Production of Documents, served on May 11, 2017.

4           **GENERAL OBJECTIONS**

5           Defendants make the following general responses and objections (“General Objections”)  
6 to each definition, instruction, and request propounded in Waymo’s Requests for Production of  
7 Documents. These General Objections are hereby incorporated into each specific response. The  
8 assertion of the same, similar or additional objections or partial responses to the individual  
9 requests does not waive any of Defendants’ General Objections.

10           1.       Defendants object to each Request, Definition, or Instruction to the extent it seeks  
11 or purports to impose obligations beyond or inconsistent with those imposed by the Federal Rules  
12 of Civil Procedure or the applicable rules and orders of this Court.

13           2.       Nothing in these responses is an admission by Defendants of the existence,  
14 relevance, or admissibility of any information, for any purpose. Defendants reserve all objections  
15 as to competency, relevance, materiality, privilege, or admissibility related to the use of its  
16 responses and any document or thing identified in its responses as evidence for any purpose  
17 whatsoever in any subsequent proceeding in this trial or any other action.

18           3.       Defendants object to each Request to the extent it seeks information not within  
19 Defendants’ possession, custody, or control and not kept by Defendants in their ordinary course  
20 of business. Defendants will provide only relevant, non-privileged information that is within their  
21 present possession, custody, or control and available after a reasonable investigation.

22           4.       Defendants object to these Requests insofar as they purport to require Defendants  
23 to search for information beyond that which is available after a reasonable search as it relates to  
24 this case and the scope of discovery at this stage.

25           5.       Defendants object to each Request to the extent that it is not limited in time.  
26 Defendants will produce information from a reasonable time period as it relates to this case.

27           6.       Defendants object to each Request to the extent it seeks a response from persons or  
28 entities that are not parties to the lawsuit and over whom Defendants have no control. Defendants

respond to the Requests on Defendants' own behalf.

7. To the extent any Request, Instruction, or Definition may be construed as calling for disclosure of information subject to the attorney-client privilege, work-product immunity, joint defense or common interest, or any other applicable privilege or protection, Defendants hereby claim such privileges and immunities and object on such grounds. Defendants do not waive, intentionally or otherwise, any attorney-client privilege, work-product immunity, joint defense or common-interest privilege or any other privilege, immunity, or other protection that may be asserted to protect information from disclosure.

8. Defendants object to the definitions of “WAYMO,” “GOOGLE,” “OTTO TRUCKING,” “ODIN WAVE,” “TYTO,” “POUCH HOLDINGS,” “DOGWOOD LEASING,” and “APPARATE INTERNATIONAL” as overbroad, vague, and ambiguous because Defendants do not know, for example, all “current and former employees, counsel, agents, consultants, representatives, and any other persons acting on behalf of” each entity.

9. Although Defendants have diligently complied with their discovery obligations at this stage, their investigations in connection with this litigation are continuing. These responses are limited to information obtained to date and are given without prejudice to Defendants' right to amend or supplement their responses after considering information obtained through further discovery or investigation.

Subject to without waiving its General Objections, Defendants object and respond to the Requests as follow:

## **SPECIFIC OBJECTIONS AND RESPONSES**

**REQUEST FOR PRODUCTION NO. 92:**

DOCUMENTS sufficient to show the reasons why DEFENDANTS chose the position, orientation, and number of the laser diodes and photodetectors mounted on the printed circuit boards of all of their LiDAR designs.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 92:**

Defendants have already produced documents responsive to this Request, including without limitation documents produced in connection with the Requests for Production served

1 with Asheem Linaval’s Notice of Deposition. Specifically, Defendants produced PowerPoint  
2 presentations, notes, and calculations from the custodial files of Scott Boehmke and James  
3 Haslim sufficient to show the requested information, such as Scott Boehmke’s November 2016  
4 summary regarding angular orientation and Scott Boehmke’s calculations and schematics for the  
5 [REDACTED] system. Defendants also produced schematic, assembly drawings, and  
6 CAD files of Fuji transmit boards and transmit block.

7 In addition, Defendants have made available for inspection Uber’s facilities, email,  
8 computers, documents, design files, and source code in San Francisco and Pittsburgh on eight  
9 occasions. In doing so, Uber has made available for inspection over 383,000 emails and  
10 documents; the devices of Scott Boehmke, Gaetan Pennecot, Daniel Gruver, and James Haslim;  
11 and all four locations at which there is ongoing LiDAR development. To date, Waymo has  
12 conducted approximately 55 hours of inspection, with additional requests for investigation.

13 Defendants will produce additional non-privileged documents, if such documents exist  
14 and can be located through a reasonably diligent search, sufficient to show the reasons why  
15 Defendants chose the position, orientation, and number of the laser diodes and photodetectors  
16 mounted on the printed circuit boards in their LiDAR designs.

17 Defendants object to this Request as unreasonably overbroad to the extent that it requests  
18 information about third-party LiDAR designs.

19 **REQUEST FOR PRODUCTION NO. 93:**

20 DOCUMENTS sufficient to show the reasons why DEFENDANTS chose the number of  
21 printed circuit boards in all of their LiDAR designs.

22 **RESPONSE TO REQUEST FOR PRODUCTION NO. 93:**

23 Defendants have already produced documents responsive to this Request, including  
24 without limitation documents produced in connection with the Requests for Production served  
25 with Asheem Linaval’s Notice of Deposition. Specifically, Defendants produced PowerPoint  
26 presentations, notes, and calculations from the custodial files of Scott Boehmke and James  
27 Haslim sufficient to show the requested information, such as Scott Boehmke’s November 2016  
28

1 summary regarding angular orientation, firing circuits considered and currently in use for the Fuji  
2 device, and James Haslim’s email to Scott Boehmke regarding two boards per cavity.

3 In addition, Defendants have made available for inspection Uber’s facilities, email,  
4 computers, documents, design files, and source code in San Francisco and Pittsburgh on eight  
5 occasions. In doing so, Uber has made available for inspection over 383,000 emails and  
6 documents; the devices of Scott Boehmke, Gaetan Pennecot, Daniel Gruver, and James Haslim;  
7 and all four locations at which there is ongoing LiDAR development. To date, Waymo has  
8 conducted approximately 55 hours of inspection, with additional requests for investigation.

9 Defendants will produce additional non-privileged documents, if such documents exist  
10 and can be located through a reasonably diligent search, sufficient to show the reasons why  
11 Defendants chose the number of printed circuit boards in all of their LiDAR designs after January  
12 26, 2016.

13 To the extent this Request seeks documents on or before January 26, 2016, Defendants  
14 object that the Request is overbroad, unduly burdensome, and not proportional to the needs of the  
15 case. Defendants further object to this Request as unreasonably overbroad to the extent that it  
16 requests information about third-party LiDAR designs.

17 **REQUEST FOR PRODUCTION NO. 94:**

18 DOCUMENTS sufficient to show the reasons why DEFENDANTS chose the methods for  
19 aligning the printed circuit boards in all of their LiDAR designs.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 94:**

21 Defendants have made available for inspection the Fuji device, Owl device, and Spider  
22 components, as well as the CAD files of the transmit block. Defendants also produced CAD files  
23 of Fuji transmit block and dowel pin alignment.

24 Defendants have further made available for inspection Uber’s facilities, email, computers,  
25 documents, design files, and source code in San Francisco and Pittsburgh on eight occasions. In  
26 doing so, Uber has made available for inspection over 383,000 emails and documents; the devices  
27 of Gaetan Pennecot, Daniel Gruver, and James Haslim; and all four locations at which there is  
28

1 ongoing LiDAR development. To date, Waymo has conducted approximately 55 hours of  
2 inspection, with additional requests for investigation.

3 Defendants will produce additional non-privileged documents, if such documents exist  
4 and can be located through a reasonably diligent search, sufficient to show the reasons why  
5 Defendants chose the methods for aligning the printed circuit boards in their LiDAR designs after  
6 January 26, 2016.

7 To the extent this Request seeks documents outside of the time period specified in  
8 Defendants’ response, Defendants object that the Request is overbroad, unduly burdensome, and  
9 not proportional to the needs of the case. Defendants further object to this Request as  
10 unreasonably overbroad to the extent that it requests information about third-party LiDAR  
11 designs.

12 **REQUEST FOR PRODUCTION NO. 95:**

13 DOCUMENTS sufficient to show the reasons why DEFENDANTS chose the selection,  
14 materials, size, position, number, and orientation of optical elements that are used to manipulate  
15 and modify laser beams that are transmitted and detected all of their LiDAR designs.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 95:**

17 Defendants have already produced documents responsive to this Request, including  
18 without limitation documents produced in connection with the Requests for Production served  
19 with Notices of Deposition of Asheem Linaval and Gaetan Pennecot, and Waymo’s Expedited  
20 Requests for Production. Specifically, Defendants produced PowerPoint presentations, notes, and  
21 calculations from the custodial files of Scott Boehmke and James Haslim sufficient to show the  
22 requested information, such as Scott Boehmke’s November 2016 summary regarding angular  
23 orientation and email correspondence with [REDACTED] regarding the optical elements for the Fuji  
24 device and the Spider components.

25 In addition, Defendants have made available for inspection the Fuji device, Owl device,  
26 and Spider components. Defendants have further made available for inspection Uber’s facilities,  
27 email, computers, documents, design files, and source code in San Francisco and Pittsburgh on  
28 eight occasions. In doing so, Uber has made available for inspection over 383,000 emails and

1 documents; the devices of Gaetan Pennecot, Daniel Gruver, and James Haslim; and all four  
2 locations at which there is ongoing LiDAR development. To date, Waymo has conducted  
3 approximately 55 hours of inspection, with additional requests for investigation.

4 Defendants will produce additional non-privileged documents, if such documents exist  
5 and can be located through a reasonably diligent search, sufficient to show the reasons why  
6 Defendants chose the number of printed circuit boards in all of their LiDAR designs after January  
7 26, 2016.

8 To the extent this Request seeks documents outside of the time period specified in  
9 Defendants’ response, Defendants object that the Request is overbroad, unduly burdensome, and  
10 not proportional to the needs of the case. Defendants further object to this Request as  
11 unreasonably overbroad to the extent that it requests information about third-party LiDAR  
12 designs.

13

14 **REQUEST FOR PRODUCTION NO. 96:**

15 All COMMUNICATIONS REGARDING LiDAR between DEFENDANTS and  
16 LEVANDOWSKI before August 18, 2016.

17 **RESPONSE TO REQUEST FOR PRODUCTION NO. 96:**

18 Defendants have produced documents responsive to this Request. Defendants will  
19 produce additional responsive non-privileged COMMUNICATIONS REGARDING LiDAR  
20 between Uber and Ottomotto and LEVANDOWSKI located through a reasonably diligent search.

21 Defendants object to this Request to the extent it seeks documents protected by the  
22 common interest and/or joint defense privileges.

23

24 **REQUEST FOR PRODUCTION NO. 97:**

25 DOCUMENTS sufficient to show DEFENDANTS’ knowledge of WAYMO’s  
26 autonomous vehicle program, INCLUDING all DOCUMENTS that discuss or mention the design  
27 of WAYMO’s LiDAR.

28

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 97:**

2 Defendants have already produced documents responsive to this Request, including  
3 without limitation documents produced in connection with the Requests for Production served  
4 with the Notices of Deposition of Asheem Linaval and Daniel Gruver, and in connection with the  
5 Notice of Deposition of John Bares. Specifically, Defendants produced documents that discuss or  
6 mention the design of Waymo’s LiDAR that have been collected from Defendants’ internal Slack  
7 channels, sufficient to show Defendants’ knowledge of Waymo’s autonomous vehicle program,  
8 news article publicly discussing Waymo’s LiDAR sensors, and John Bares’s notes on the  
9 meetings during the NewCo negotiations.

10 Defendants have further made available for inspection Uber’s facilities, email, computers,  
11 documents, design files, and source code in San Francisco and Pittsburgh on eight occasions. In  
12 doing so, Uber has made available for inspection over 383,000 emails and documents; the devices  
13 of Anthony Levandowski, Gaetan Pennecot, Daniel Gruver, James Haslim, and Asheem Linaval;  
14 and all four locations at which there is ongoing LiDAR development. To date, Waymo has  
15 conducted approximately 55 hours of inspection, with additional requests for investigation.

16 Defendants will produce additional non-privileged documents, if such documents exist  
17 and can be located through a reasonably diligent search, sufficient to show Defendants’ alleged  
18 knowledge of Waymo’s autonomous vehicle program.

19 To the extent this Request seeks anything other than the previously described information,  
20 Defendants object to the portion of this Request seeking “all” such documents as overbroad,  
21 unduly burdensome, and not proportional to the needs of the case. Defendants further object to  
22 this Request to the extent that it seeks information protected by the attorney-client privilege or the  
23 work product doctrine or that is otherwise privileged or protected from discovery. Defendants  
24 further object to this Request on the grounds that Plaintiffs’ request for documents regarding  
25 Defendants’ “knowledge” implicates Waymo’s overbroad definitions, which consider Uber and  
26 Ottomotto to be the entities themselves, as well as any number of agents, employees, and other  
27 related persons or entities, thus rendering this Request overbroad and vague and ambiguous.

1 **REQUEST FOR PRODUCTION NO. 98:**

2 All DOCUMENTS and COMMUNICATIONS REGARDING LEVANDOWSKI’s input  
3 into any component of all LiDAR, radar, camera, microphone, audio input or output, manual  
4 controller, wireless communication system, display, wheel or pedal sensor or controller systems  
5 developed or contemplated by DEFENDANTS.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 98:**

7 Defendants have already produced email communications regarding the input from  
8 Anthony Levandowski into any component of LiDAR systems developed or contemplated by  
9 Defendants in Production Volumes 4, 20, and 21.

10 In addition, Defendants have made available for inspection the Fuji device, Owl device,  
11 and Spider components. Defendants have further made available for inspection Uber’s facilities,  
12 email, computers, documents, design files, and source code in San Francisco and Pittsburgh on  
13 eight occasions. In doing so, Uber has made available for inspection over 383,000 emails and  
14 documents; the devices of Scott Boehmke, Anthony Levandowski, Gaetan Pennecot, Daniel  
15 Gruver, James Haslim, and Asheem Linaval; and all four locations at which there is ongoing  
16 LiDAR development. To date, Waymo has conducted approximately 55 hours of inspection, with  
17 additional requests for investigation.

18 Defendants will produce additional documents and communications, if such documents  
19 exist and can be located through a reasonably diligent search, regarding the input from Anthony  
20 Levandowski into components of LiDAR systems developed or contemplated by Defendants.

21 To the extent this Request seeks anything other than the previously described information,  
22 Defendants object to the Request as vastly overbroad, unduly burdensome, outside the scope of  
23 this litigation, harassing, and not proportional to the needs of the case because it concerns “all  
24 documents” and “communications” regarding “any component” of virtually anything developed  
25 by Defendants. Defendants further object to the portion of this Request seeking documents  
26 concerning “all” “radar, camera, microphone, audio input or output, manual controller, wireless  
27 communication system, display, wheel or pedal sensor or controller systems” as irrelevant.  
28 Defendants also object to this Request to the extent that it seeks information protected by the

1 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
2 from discovery. Defendants further object to this Request on the ground that the phrase “input  
3 into” is vague and ambiguous.

4

5 **REQUEST FOR PRODUCTION NO. 99:**

6 All DOCUMENTS and COMMUNICATIONS REGARDING LEVANDOWSKI’s input  
7 into the testing, assembly, tuning, or calibration of all LiDAR, radar, camera, microphone, audio  
8 input or output, manual controller, wireless communication system, display, wheel or pedal  
9 sensor or controller systems developed or contemplated by DEFENDANTS.

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 99:**

11 Defendants have already produced email communications regarding the input from  
12 Anthony Levandowski into the testing, assembly, tuning, or calibration of LiDAR systems  
13 developed or contemplated by Defendants in Production Volumes 4, 20, and 21.

14 In addition, Defendants have made available for inspection the Fuji device, Owl device,  
15 and Spider components. Defendants have further made available for inspection Uber’s facilities,  
16 email, computers, documents, design files, and source code in San Francisco and Pittsburgh on  
17 eight occasions. In doing so, Uber has made available for inspection over 383,000 emails and  
18 documents; the devices of Scott Boehmke, Anthony Levandowski, Gaetan Pennecot, Daniel  
19 Gruver, James Haslim, and Asheem Linaval; and all four locations at which there is ongoing  
20 LiDAR development. To date, Waymo has conducted approximately 55 hours of inspection, with  
21 additional requests for investigation.

22 Defendants will produce additional documents and communications, if such documents  
23 exist and can be located through a reasonably diligent search, regarding the input from Anthony  
24 Levandowski into testing, assembly, tuning, or calibration of LiDAR systems developed or  
25 contemplated by Defendants.

26 To the extent this Request seeks anything other than the previously described information,  
27 Defendants object to this Request as vastly overbroad, unduly burdensome, outside the scope of  
28 this litigation, harassing, and not proportional to the needs of the case because it concerns “all

1 documents” and “communications” regarding virtually anything developed by Defendants.  
2 Defendants object to the portion of this request seeking documents concerning “all” “radar,  
3 camera, microphone, audio input or output, manual controller, wireless communication system,  
4 display, wheel or pedal sensor or controller systems” as irrelevant. Defendants also object to this  
5 Request to the extent that it seeks information protected by the attorney-client privilege or the  
6 work product doctrine or that is otherwise privileged or protected from discovery. Defendants  
7 further object to this Request on the ground that the phrase “input into” is vague and ambiguous.  
8

9 **REQUEST FOR PRODUCTION NO. 100:**

10 DOCUMENTS sufficient to show any LiDAR units, sensors, technology, or designs  
11 prepared, edited, contributed to, or presented in whole or in part by any of DEFENDANTS’  
12 employees who were formerly employees of WAYMO or its corporate affiliates within six (6)  
13 months of such employee joining DEFENDANTS.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 100:**

15 Defendants have already produced documents responsive to this Request, including  
16 without limitation documents produced in connection with the Requests for Production served  
17 with the Notices of Depositions of David Meall, Asheem Linaval, and James Haslim, as well as  
18 Waymo’s Expedited Requests for Production. For example, Defendants produced documents and  
19 communications from the custodial files of Daniel Gruver, Gaetan Pennecot, Asheem Linaval,  
20 and Anthony Levandowski; Anthony Levandowski’s rough sketches relating to Spider; Zemax  
21 schematics of optical elements prepared by Daniel Gruver and Gaetan Pennecot, and lab  
22 notebooks of Gaetan Pennecot, Daniel Gruver and Marlon Bocalan.

23 Defendants have further made available for inspection Uber’s facilities, email, computers,  
24 documents, design files, and source code in San Francisco and Pittsburgh on eight occasions. In  
25 doing so, Uber has made available for inspection over 383,000 emails and documents; the devices  
26 of Anthony Levandowski, Gaetan Pennecot, Daniel Gruver, and Asheem Linaval; and all four  
27 locations at which there is ongoing LiDAR development. To date, Waymo has conducted  
28 approximately 55 hours of inspection, with additional requests for investigation.

1           Defendants will produce additional non-privileged documents, if such documents exist  
2 and can be located through a reasonably diligent search, sufficient to show the requested  
3 information.

4           To the extent this Request seeks anything other than the previously described information,  
5 Defendants object to this Request to the extent that it seeks information protected by the attorney-  
6 client privilege or the work product doctrine or that is otherwise privileged or protected from  
7 discovery.

8

9 **REQUEST FOR PRODUCTION NO. 101:**

10           Documents sufficient to show the identity of DEFENDANTS’ LiDAR suppliers,  
11 INCLUDING information REGARDING the specific components that each supplier provides to  
12 DEFENDANTS, and information REGARDING when DEFENDANTS’ relationship with each  
13 supplier began.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 101:**

15           Defendants have already produced documents responsive to this Request, including  
16 without limitation documents produced in connection with the Requests for Production served  
17 with Sameer Kshirsagar’s Notice of Deposition. These documents are sufficient to show the  
18 identity of the suppliers that currently provide Defendants’ LiDAR components and services, as  
19 well as the components or services provided to Defendants by those suppliers, and the  
20 engagement dates for those suppliers.

21           Defendants have further made available for inspection Uber’s facilities, email, computers,  
22 documents, design files, and source code in San Francisco and Pittsburgh on eight occasions. In  
23 doing so, Uber has made available for inspection over 383,000 emails and documents; the devices  
24 of Scott Boehmke, Anthony Levandowski, Gaetan Pennecot, Daniel Gruver, James Haslim, and  
25 Asheem Linaval; and all four locations at which there is ongoing LiDAR development. To date,  
26 Waymo has conducted approximately 55 hours of inspection, with additional requests for  
27 investigation.

1        Defendants will produce additional non-privileged documents, if such documents exist  
2 and can be located through a reasonably diligent search, sufficient to show the requested  
3 information.

4        Defendants object to the use of the phrase “when Defendants’ relationship with each  
5 supplier began” as vague and ambiguous. Defendants also object to the use of the terms  
6 “supplier” and “suppliers” as vague and ambiguous. For purposes of this Request, Defendants  
7 interpret the undefined term “suppliers” to refer to third parties who are currently known by  
8 Defendants to provide to Defendants components or services for LiDAR prototypes. Defendants  
9 further object to this Request to the extent that it seeks information protected by the attorney-  
10 client privilege or the work product doctrine or that is otherwise privileged or protected from  
11 discovery.

12

13 **REQUEST FOR PRODUCTION NO. 102:**

14        DOCUMENTS sufficient to show whether DEFENDANTS’ relationships with any of  
15 DEFENDANTS’ LiDAR suppliers have ever been informed by information derived from  
16 WAYMO or GOOGLE.

17 **RESPONSE TO REQUEST FOR PRODUCTION NO. 102:**

18        Defendants have already produced documents responsive to this Request, including  
19 without limitation documents produced in connection with the Requests for Production served  
20 with Sameer Kshirsagar’s Notice of Deposition. For example, Defendants have produced  
21 documents sufficient to show the first engagement date for Defendants’ current LiDAR suppliers.

22        Defendants have further made available for inspection Uber’s facilities, email, computers,  
23 documents, design files, and source code in San Francisco and Pittsburgh on eight occasions. In  
24 doing so, Uber has made available for inspection over 383,000 emails and documents; the devices  
25 of Anthony Levandowski, Gaetan Pennecot, Daniel Gruver, James Haslim, and Asheem Linaval;  
26 and all four locations at which there is ongoing LiDAR development. To date, Waymo has  
27 conducted approximately 55 hours of inspection, with additional requests for investigation. As  
28

1 Waymo knows, Uber has already conducted an extensive search for the 14,000 allegedly  
2 downloaded files and has not located any substantive matches.

3 Defendants will produce additional responsive, non-privileged documents, if such  
4 documents exist and can be located through a reasonably diligent search of the employees who  
5 were directly involved in identifying or selecting Defendants’ LiDAR suppliers after January 26,  
6 2016.

7 To the extent this Request seeks anything other than the previously described information,  
8 Defendants object to this Request as overbroad, unduly burdensome, and not proportional to the  
9 needs of the case. Defendants also object to the use of the phrase “have ever been informed by  
10 information derived from” as vague and ambiguous. Defendants also object to the use of the  
11 terms “supplier” and “suppliers” as vague and ambiguous. For purposes of this Request,  
12 Defendants interpret the undefined term “suppliers” to refer to third parties who are currently  
13 known by Defendants to provide to Defendants components or services for LiDAR prototypes.  
14 Defendants further object to this Request to the extent that it seeks information protected by the  
15 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
16 from discovery.

17

18 **REQUEST FOR PRODUCTION NO. 103:**

19 All DOCUMENTS and COMMUNICATIONS REGARDING overlap between  
20 DEFENDANTS’ suppliers and WAYMO’s suppliers.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 103:**

22 Defendants have already produced documents responsive to this Request, including  
23 without limitation documents produced in connection with the Requests for Production served  
24 with Sameer Kshirsagar’s Notice of Deposition and Waymo’s Expedited Requests for Production  
25 Nos. 1 and 23. For example, Defendants have produced documents sufficient to show the identity  
26 of the suppliers that are currently known by Mr. Kshirsagar or his team to provide to Defendants  
27 LiDAR components and services and communications with Gorilla Circuits and [REDACTED]

28

1 Defendants have further made available for inspection Uber’s facilities, email, computers,  
2 documents, design files, and source code in San Francisco and Pittsburgh on eight occasions. In  
3 doing so, Uber has made available for inspection over 383,000 emails and documents; the devices  
4 of Anthony Levandowski, Gaetan Pennecot, Daniel Gruver, James Haslim, and Asheem Linaval;  
5 and all four locations at which there is ongoing LiDAR development. To date, Waymo has  
6 conducted approximately 55 hours of inspection, with additional requests for investigation.

7 Defendants will produce additional non-privileged documents, if such documents exist  
8 and can be located through a reasonably diligent search, sufficient to show the identity of the  
9 suppliers that are currently known by Defendants to provide to Defendants LiDAR components  
10 and services and that overlap with Waymo’s suppliers.

11 To the extent this Request seeks anything other than the previously described information,  
12 Defendants object to this Request as overbroad, unduly burdensome, and not proportional to the  
13 needs of the case to the extent that it seeks “all” documents and communications. Defendants  
14 object to the use of the term “overlap” as vague, and ambiguous. Defendants further object to the  
15 use of the term “suppliers” as vague and ambiguous. For the purposes of this Request,  
16 Defendants interpret the undefined term “suppliers” to refer to third parties who are currently  
17 known by Defendants to provide to Waymo and Defendants components or services for LiDAR  
18 prototypes. Defendants further object to this Request to the extent that it seeks information  
19 protected by the attorney-client privilege or the work product doctrine or that is otherwise  
20 privileged or protected from discovery.

21

22 **REQUEST FOR PRODUCTION NO. 104:**

23 DOCUMENTS sufficient to show any instance where DEFENDANTS’ suppliers told  
24 DEFENDANTS that they could not meet DEFENDANTS’ requested demand for LiDAR-related  
25 components.

26 **RESPONSE TO REQUEST FOR PRODUCTION NO. 104:**

27 Defendants have made available for inspection Uber’s facilities, email, computers,  
28 documents, design files, and source code in San Francisco and Pittsburgh on eight occasions. In

1 doing so, Uber has made available for inspection over 383,000 emails and documents; the devices  
2 of Scott Boehmke, Anthony Levandowski, Gaetan Pennecot, Daniel Gruver, James Haslim, and  
3 Asheem Linaval; and all four locations at which there is ongoing LiDAR development. To date,  
4 Waymo has conducted approximately 55 hours of inspection, with additional requests for  
5 investigation.

6 Defendants will produce additional non-privileged documents, if such documents exist  
7 and can be located through a reasonably diligent search, sufficient to show Defendants’ suppliers  
8 for LiDAR-related components that told Defendants they could not meet Defendants’ demand.

9 To the extent this Request seeks anything other than the previously described information,  
10 Defendants object to this Request as overbroad, unduly burdensome, and not proportional to the  
11 needs of the case. Defendants further object to the term “suppliers” as vague and ambiguous. For  
12 the purposes of this Request, Defendants interpret the undefined term “suppliers” to refer to third  
13 parties who are currently known by Defendants to provide to Defendants components or services  
14 for LiDAR prototypes. Defendants further object to this Request to the extent that it seeks  
15 information protected by the attorney-client privilege or the work product doctrine or that is  
16 otherwise privileged or protected from discovery.

17

18 **REQUEST FOR PRODUCTION NO. 105:**

19 DOCUMENTS sufficient to show the conception and reduction to practice of any alleged  
20 invention claimed in the patent applications attached as Exhibits J-P to the Declaration of Scott  
21 Boehmke.

22 **RESPONSE TO REQUEST FOR PRODUCTION NO. 105:**

23 Defendants have already produced documents responsive to this Request, including  
24 without limitation documents produced in connection with the Requests for Production served  
25 with Scott Boehmke’s Notice of Deposition. Specifically, Defendants produced PowerPoint  
26 presentations, notes, and spreadsheets from the custodial files of Scott Boehmke sufficient to  
27 show the requested information, including the provisional and non-provisional applications and  
28 the presentation entitled “Driving LADAR Concept Review.”

1 Defendants consider their production to be complete at this time.

2 To the extent this Request seeks anything other than the previously described information,  
3 Defendants object to this Request as overbroad, unduly burdensome, and not proportional to the  
4 needs of the case. Defendants further object to this Request to the extent that it seeks information  
5 protected by the attorney-client privilege or the work product doctrine or that is otherwise  
6 privileged or protected from discovery.

7

8 **REQUEST FOR PRODUCTION NO. 106:**

9 DOCUMENTS sufficient to identify all LiDAR devices, systems, and configurations that  
10 DEFENDANTS have considered.

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 106:**

12 Defendants have already produced documents responsive to this Request, including  
13 without limitation documents produced in connection with the Requests for Production served  
14 with Asheem Linaval’s and Scott Boehmke’s Notices of Deposition. Defendants produced  
15 PowerPoint presentations, notes, spreadsheets, and schematics from the custodial files of Scott  
16 Boehmke, James Haslim, Jim Gasbarro, Gaetan Pennecot, and William Treichler sufficient to  
17 show the requested information.

18 In addition, Defendants have made available for inspection the Fuji device, Owl device,  
19 and Spider components. Defendants have further made available for inspection Uber’s facilities,  
20 email, computers, documents, design files, and source code in San Francisco and Pittsburgh on  
21 eight occasions. In doing so, Uber has made available for inspection over 383,000 emails and  
22 documents; the devices of Scott Boehmke, Anthony Levandowski, Gaetan Pennecot, Daniel  
23 Gruver, James Haslim, and Asheem Linaval; and all four locations at which there is ongoing  
24 LiDAR development. To date, Waymo has conducted approximately 55 hours of inspection, with  
25 additional requests for investigation.

26 Defendants consider their production to be complete at this time.

27

28

1 To the extent this Request seeks anything other than the previously described information,  
2 Defendants object to this Request as overbroad, unduly burdensome, and not proportional to the  
3 needs of the case.

4

5 **REQUEST FOR PRODUCTION NO. 107:**

6 All DOCUMENTS REGARDING DEFENDANTS’ decision to “pivot and instead focus  
7 on what we dubbed the ‘Fuji’ design” (referenced in paragraph 16 of the Declaration of Scott  
8 Boehmke).

9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 107:**

10 Defendants have already produced documents responsive to this Request, including  
11 without limitation documents produced in connection with the Requests for Production served  
12 with Scott Boehmke’s Notice of Deposition. Specifically, Defendants have produced PowerPoint  
13 presentations, notes, spreadsheets, and communications from the custodial files of Scott Boehmke  
14 and James Haslim sufficient to show the requested information.

15 In addition, Defendants have made available for inspection the Fuji device, Owl device,  
16 and Spider components. Defendants have further made available for inspection Uber’s facilities,  
17 email, computers, documents, design files, and source code in San Francisco and Pittsburgh on  
18 eight occasions. In doing so, Uber has made available for inspection over 383,000 emails and  
19 documents; the devices of Scott Boehmke, Anthony Levandowski, Gaetan Pennecot, Daniel  
20 Gruver, James Haslim, and Asheem Linaval; and all four locations at which there is ongoing  
21 LiDAR development. To date, Waymo has conducted approximately 55 hours of inspection, with  
22 additional requests for investigation.

23 Defendants consider their production to be complete at this time.

24 To the extent this Request seeks anything other than the previously described information,  
25 Defendants object to this Request as overbroad, unduly burdensome, and not proportional to the  
26 needs of the case to the extent that it seeks “all” documents. Defendants further object to this  
27 Request to the extent that it seeks information protected by the attorney-client privilege or the  
28 work product doctrine or that is otherwise privileged or protected from discovery.

1

2 **REQUEST FOR PRODUCTION NO. 108:**

3 DOCUMENTS sufficient to show the design and use of a fiber laser in any of  
4 DEFENDANTS’ LiDAR systems.

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 108:**

6 Defendants have already produced documents responsive to this Request, including  
7 without limitation documents produced in connection with the Requests for Production served  
8 with Scott Boehmke’s Notice of Deposition. Specifically, Defendants produced PowerPoint  
9 presentations, notes, spreadsheets, and communications from the custodial files of Scott Boehmke  
10 and James Haslim sufficient to show the requested information, such as an Owl brochure and  
11 circuit schematics, Spider flowcharts, and Spider MOPA schematics.

12 In addition, Defendants have made available for inspection the Fuji device, Owl device,  
13 and Spider components. Defendants have further made available for inspection Uber’s facilities,  
14 email, computers, documents, design files, and source code in San Francisco and Pittsburgh on  
15 eight occasions. In doing so, Uber has made available for inspection over 383,000 emails and  
16 documents; the devices of Anthony Levandowski, James Haslim, and Asheem Linaval; and all  
17 four locations at which there is ongoing LiDAR development. To date, Waymo has conducted  
18 approximately 55 hours of inspection, with additional requests for investigation.

19 Defendants consider their production to be complete at this time.

20

21 **REQUEST FOR PRODUCTION NO. 109:**

22 DOCUMENTS sufficient to identify all LiDAR-related work former WAYMO or  
23 GOOGLE employees have done for DEFENDANTS since leaving WAYMO or GOOGLE,  
24 INCLUDING whether or not that work led to or related to any prototype or device.

25 **RESPONSE TO REQUEST FOR PRODUCTION NO. 109:**

26 Defendants have already produced documents responsive to this Request, including  
27 without limitation documents produced in connection with the Requests for Production served  
28 with the Notices of Depositions of David Meall, Asheem Linaval, and James Haslim, as well as

1 Waymo’s Expedited Requests for Production. For example, Defendants produced  
2 communications from the custodial files of Daniel Gruver, Gaetan Pennecot, Asheem Linaval,  
3 and Anthony Levandowski; Anthony Levandowski’s rough sketches relating to Spider; Zemax  
4 schematics of optical elements prepared by Daniel Gruver and Gaetan Pennecot, and lab  
5 notebooks of Gaetan Pennecot, Daniel Gruver and Marlon Bocalan.

6 In addition, Defendants have made available for inspection the Fuji device, Owl device,  
7 and Spider components. Defendants have further made available for inspection Uber’s facilities,  
8 email, computers, documents, design files, and source code in San Francisco and Pittsburgh on  
9 eight occasions. In doing so, Uber has made available for inspection over 383,000 emails and  
10 documents; the devices of Anthony Levandowski, Gaetan Pennecot, Daniel Gruver, and Asheem  
11 Linaval; and all four locations at which there is ongoing LiDAR development. To date, Waymo  
12 has conducted approximately 55 hours of inspection, with additional requests for investigation.

13 Defendants will produce additional non-privileged documents, if such documents exist  
14 and can be located through a reasonably diligent search, sufficient to show the requested  
15 information.

16 Defendants object to this Request to the extent that it seeks information protected by the  
17 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
18 from discovery.

19

20 **REQUEST FOR PRODUCTION NO. 110:**

21 All DOCUMENTS brought by former WAYMO or GOOGLE employees to  
22 DEFENDANTS.

23 **RESPONSE TO REQUEST FOR PRODUCTION NO. 110:**

24 Defendants will produce documents belonging to Waymo or Google brought by former  
25 Waymo or Google employees having LiDAR-related responsibilities or projects to Defendants, if  
26 any.

27 Defendants object to this Request to the extent it seeks documents not belonging to  
28 Waymo or Google.

1

2 **REQUEST FOR PRODUCTION NO. 111:**

3 All DOCUMENTS and COMMUNICATIONS REGARDING the submission to Nevada  
4 authorities entitled “Autonomous Technology Knowledge and Expertise,” dated on or around  
5 September 16, 2016.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 111:**

7 Defendants will produce non-privileged DOCUMENTS and COMMUNICATIONS  
8 responsive to this Request, if any, located through a reasonably diligent search.

9 Defendants object to this Request to the extent that it seeks information protected by the  
10 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
11 from discovery. Defendants further object to this Request on the grounds that the term  
12 “REGARDING” is vague and ambiguous in the context of this Request.

13

14 **REQUEST FOR PRODUCTION NO. 112:**

15 DOCUMENTS sufficient to show all author(s) of and contributor(s) to the submission to  
16 Nevada authorities entitled “Autonomous Technology Knowledge and Expertise,” dated on or  
17 around September 16, 2016.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 112:**

19 Defendants will produce a document or documents sufficient to show the authors of the  
20 document referenced in this Request, if such documents exist and can be located through a  
21 reasonably diligent search.

22 Defendants object to this Request on the grounds that the term “contributor(s)” is vague  
23 and ambiguous.

24

25 **REQUEST FOR PRODUCTION NO. 113:**

26 All DOCUMENTS and COMMUNICATIONS REGARDING the statement in the  
27 submission to Nevada authorities entitled “Autonomous Technology Knowledge and Expertise,”  
28 dated on or around September 16, 2016, that “Selected advanced self-driving technologies

1 developed in-house and/or currently deployed in Otto’s autonomous vehicles include” an  
2 “Inhouse custom built 64-laser (Class 1) emitting 6.4 million beams a second at 10Hz.”

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 113:**

4 Defendants will produce non-privileged DOCUMENTS and COMMUNICATIONS  
5 responsive to this Request, if any, located through a reasonably diligent search.

6 Defendants object to this Request to the extent that it seeks information protected by the  
7 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
8 from discovery. Defendants further object to this Request as irrelevant, overbroad, and not  
9 proportional to the needs of the case to the extent that it seeks “all” documents and  
10 communications. Defendants further object to this Request on the grounds that the term  
11 “REGARDING” is vague and ambiguous in the context of this Request.

12

13 **REQUEST FOR PRODUCTION NO. 114:**

14 All DOCUMENTS and COMMUNICATIONS REGARDING steps taken by Gautam  
15 Gupta to verify the accuracy of the submission to Nevada authorities entitled “Autonomous  
16 Technology Knowledge and Expertise,” dated on or around September 16, 2016.

17 **RESPONSE TO REQUEST FOR PRODUCTION NO. 114:**

18 Defendants will produce non-privileged DOCUMENTS and COMMUNICATIONS  
19 responsive to this Request, if any, located through a reasonably diligent search.

20 Defendants object to this Request to the extent that it seeks information protected by the  
21 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
22 from discovery. Defendants further object to this Request as irrelevant, overbroad, and not  
23 proportional to the needs of the case to the extent that it seeks “all” documents and  
24 communications. Defendants further object to this Request on the grounds that the term  
25 “REGARDING” is vague and ambiguous in the context of this Request.

26

27

28

1 **REQUEST FOR PRODUCTION NO. 115:**

2 All DOCUMENTS and COMMUNICATIONS REGARDING steps taken by Gautam  
3 Gupta to verify the accuracy of the statement in the submission to Nevada authorities entitled  
4 “Autonomous Technology Knowledge and Expertise,” dated on or around September 16, 2016,  
5 that “Selected advanced self-driving technologies developed in-house and/or currently deployed  
6 in Otto’s autonomous vehicles include” an “In-house custom built 64-laser (Class 1) emitting 6.4  
7 million beams a second at 10Hz.”

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 115:**

9 Defendants will produce non-privileged DOCUMENTS and COMMUNICATIONS  
10 responsive to this Request, if any, located through a reasonably diligent search.

11 Defendants object to this Request to the extent that it seeks information protected by the  
12 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
13 from discovery. Defendants further object to this Request as irrelevant, overbroad, and not  
14 proportional to the needs of the case to the extent that it seeks “all” documents and  
15 communications. Defendants further object to this Request on the grounds that the term  
16 “REGARDING” is vague and ambiguous in the context of this Request.

17  
18 **REQUEST FOR PRODUCTION NO. 116:**

19 All DOCUMENTS and COMMUNICATIONS REGARDING the letter to Nevada  
20 authorities, “RE: Clarification to Autonomous Technology Certification Submission,” dated on or  
21 around March 15, 2017.

22 **RESPONSE TO REQUEST FOR PRODUCTION NO. 116:**

23 Defendants will produce the March 15, 2017 letter referenced in this Request. After a  
24 diligent search and reasonable inquiry, Defendants respond that there are no additional non-  
25 privileged documents responsive to this Request.

26 Defendants object to this Request to the extent that it seeks information protected by the  
27 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
28 from discovery.

1

2 **REQUEST FOR PRODUCTION NO. 117:**

3 DOCUMENTS sufficient to show all author(s) of and contributor(s) to the letter to  
4 Nevada authorities, “RE: Clarification to Autonomous Technology Certification Submission,”  
5 dated on or around March 15, 2017.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 117:**

7 Defendants will produce a document or documents sufficient to show the authors of the  
8 document referenced in this Request.

9 Defendants object to this Request to the extent that it seeks information protected by the  
10 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
11 from discovery. Defendants further object to this Request on the grounds that the term  
12 “contributor(s)” is vague and ambiguous.

13

14 **REQUEST FOR PRODUCTION NO. 118:**

15 All DOCUMENTS and COMMUNICATIONS REGARDING the statement in the letter  
16 to Nevada authorities, “RE: Clarification to Autonomous Technology Certification Submission,”  
17 dated on or around March 15, 2017, that “Otto has been developing its own LiDAR systems, but  
18 has not yet deployed an ‘[i]n-house custom built 64-laser’ in its autonomous vehicles, and [t]o the  
19 extent any vehicles tested and certified by Nevada ATCF LLC to date included a LiDAR sensor,  
20 such LiDAR sensor was commercially available.”

21

**RESPONSE TO REQUEST FOR PRODUCTION NO. 118:**

22 Defendants will produce the March 15, 2017 letter referenced in this Request. After a  
23 diligent search and reasonable inquiry, Defendants respond that there are no additional non-  
24 privileged documents responsive to this Request.

25

26 Defendants object to this Request to the extent that it seeks information protected by the  
27 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
28 from discovery. Defendants further object to this Request as irrelevant, overbroad, and not  
proportional to the needs of the case to the extent that it seeks “all” communications. Defendants

1 further object to this Request on the grounds that the term “REGARDING” is vague and  
2 ambiguous in the context of this Request.

3

4 **REQUEST FOR PRODUCTION NO. 119:**

5 DOCUMENTS sufficient to show any LiDAR design considered or developed by  
6 DEFENDANTS that uses a common lens to transmit and receive laser beams.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 119:**

8 Defendants have already produced documents responsive to this Request, including  
9 without limitation documents produced in connection with the Requests for Production served  
10 with James Haslim’s and Asheem Linaval’s Notices of Deposition. For example, Defendants  
11 produced PowerPoint presentations, notes, spreadsheets, schematics, and photos from the  
12 custodial files of Scott Boehmke, James Haslim, and Max Levandowski sufficient to show the  
13 requested information.

14 In addition, Defendants have made available for inspection the Spider components  
15 themselves, as well as CAD files of the Spider components. Defendants have further made  
16 available for inspection Uber’s facilities, email, computers, documents, design files, and source  
17 code in San Francisco and Pittsburgh on eight occasions. In doing so, Uber has made available  
18 for inspection over 383,000 emails and documents; the devices of Anthony Levandowski, Gaetan  
19 Pennecot, Daniel Gruver, James Haslim, and Asheem Linaval; and all four locations in which  
20 there is ongoing LiDAR development. To date, Waymo has conducted approximately 55 hours  
21 of inspection, with additional requests for investigation.

22 Defendants consider their production to be complete at this time.

23 Defendants object to this Request to the extent that it seeks information protected by the  
24 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
25 from discovery.

26

27

28

1 **REQUEST FOR PRODUCTION NO. 120:**

2 All DOCUMENTS and COMMUNICATIONS REGARDING the LIDAR-related  
3 “Milestones” in UBER00006451, INCLUDING (without limitation) how such milestones were  
4 calculated and/or determined, the negotiation of such milestones, and any discussions  
5 REGARDING the satisfaction of such milestones.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 120:**

7 Defendants have already produced non-privileged documents responsive to this Request,  
8 including, for example, drafts of the milestones document, John Bares’s notes on all meetings  
9 with Anthony Levandowski regarding NewCo, John Bares’s equity calculator, and non-privileged  
10 email correspondence relating to NewCo negotiations.

11 Defendants will produce additional non-privileged, responsive communications sufficient  
12 to show how the Milestones were calculated and/or determined, the negotiation of such  
13 milestones, and the satisfaction of the Milestones, to the extent any are located after a reasonably  
14 diligent search.

15 Defendants object to this Request as overbroad, unduly burdensome, and not proportional  
16 to the needs of this case insofar as it concerns “any discussions regarding the satisfaction of such  
17 milestones” and “all” documents and communications. Defendants object to this Request to the  
18 extent that it seeks information protected by the attorney-client privilege or the work product  
19 doctrine or that is otherwise privileged or protected from discovery. Defendants further object to  
20 this Request on the grounds that the term “REGARDING” is vague and ambiguous in the context  
21 of this Request.

22  
23 **REQUEST FOR PRODUCTION NO. 121:**

24 All DOCUMENTS and COMMUNICATIONS REGARDING DEFENDANTS’ decision  
25 to use multiple laser diodes arranged on a curved transmit PCB in FUJI, and the diode alignment  
26 and tuning process in such design.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 121:**

2 Defendants have already produced documents responsive to this Request, including  
3 without limitation documents produced in connection with the Requests for Production served  
4 with James Haslim’s Notice of Deposition. Specifically, Defendants produced PowerPoint  
5 presentations, notes, spreadsheets, schematics, and communications from the custodial files of  
6 Scott Boehmke and James Haslim sufficient to show the requested information regarding the use  
7 of laser diodes on the transmit PCB, including Scott Boehmke’s documents showing multiple  
8 laser diodes on a PCB, Scott Boehmke’s November 2016 angular orientation summary, and  
9 James Haslim’s email to Scott Boehmke regarding two transmit boards per cavity. Defendants  
10 also produced schematic, assembly drawings, and CAD files of Fuji transmit boards.

11 In addition, Defendants have made available for inspection the Fuji device. Defendants  
12 have further made available for inspection Uber’s facilities, email, computers, documents, design  
13 files, and source code in San Francisco and Pittsburgh on eight occasions. In doing so, Uber has  
14 made available for inspection over 383,000 emails and documents; the devices of Gaetan  
15 Pennecot, Daniel Gruver, and James Haslim; and all four locations in which there is ongoing  
16 LiDAR development. To date, Waymo has conducted approximately 55 hours of inspection, with  
17 additional requests for investigation.

18 Defendants will produce additional non-privileged documents and communications, if  
19 such documents exist and can be located through a reasonably diligent search, regarding  
20 Defendants’ decision to use multiple laser diodes arranged on a curved transmit PCB in Fuji, and  
21 the diode alignment and tuning process in such design.

22 Defendants object to this Request to the extent that it seeks information protected by the  
23 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
24 from discovery. Defendants further object to this Request as irrelevant, overbroad, and not  
25 proportional to the needs of the case to the extent that it seeks “all” documents and  
26 communications. Defendants further object to this Request on the grounds that the term  
27 “REGARDING” is vague and ambiguous in the context of this Request.

1 **REQUEST FOR PRODUCTION NO. 122:**

2 All DOCUMENTS from the shared folder identified in UBER00005937.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 122:**

4 Defendants have already produced documents responsive to this Request, including  
5 without limitation documents produced in connection with the Requests for Production served  
6 with Paul McManamon’s Notice of Deposition. Specifically, Defendants have produced all  
7 documents in the “Fuji” folder referenced in UBER00005937.

8 Defendants consider their production to be complete at this time.

9 Defendants object to this Request to the extent that it seeks information protected by the  
10 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
11 from discovery.

12  
13 **REQUEST FOR PRODUCTION NO. 123:**

14 All DOCUMENTS from the shared folder identified in UBER00005938.

15 **RESPONSE TO REQUEST FOR PRODUCTION NO. 123:**

16 Defendants have already produced documents responsive to this Request, including  
17 without limitation documents produced in connection with the Requests for Production served  
18 with Paul McManamon’s Notice of Deposition. Specifically, Defendants have produced all  
19 documents in the [REDACTED] folder referenced in UBER00005938.

20 Defendants consider their production to be complete at this time.

21 Defendants object to this Request to the extent that it seeks information protected by the  
22 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
23 from discovery.

24  
25 **REQUEST FOR PRODUCTION NO. 124:**

26 DOCUMENTS sufficient to show any testing of SPIDER, INCLUDING but not limited to  
27 the testing of any SPIDER optical cavity.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 124:**

2 Defendants have already produced documents responsive to this Request, including, for  
3 example, email correspondence between James Haslim and Scott Boehmke, subject “Re: Demo?”  
4 discussing the eight-channel demonstration (UBER00008593).

5 In addition, Defendants have made available for inspection Uber’s facilities, email,  
6 computers, documents, design files, and source code in San Francisco and Pittsburgh on eight  
7 occasions. In doing so, Uber has made available for inspection over 383,000 emails and  
8 documents; the devices of Gaetan Pennecot, Daniel Gruver, and James Haslim; and all four  
9 locations in which there is ongoing LiDAR development. To date, Waymo has conducted  
10 approximately 55 hours of inspection, with additional requests for investigation.

11 Defendants will produce additional non-privileged documents, if such documents exist  
12 and can be located through a reasonably diligent search, sufficient to show any testing of Spider.

13 Defendants object to this Request to the extent that it seeks information protected by the  
14 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
15 from discovery.

16

17 **REQUEST FOR PRODUCTION NO. 125:**

18 All DOCUMENTS and COMMUNICATIONS REGARDING the testing of any SPIDER  
19 optical cavity built by DEFENDANTS.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 125:**

21 Defendants have already produced documents responsive to this Request, including, for  
22 example, email correspondence between James Haslim and Scott Boehmke, subject “Re: Demo?”  
23 discussing the eight-channel demonstration (UBER00008593).

24 In addition, Defendants have made available for inspection Uber’s facilities, email,  
25 computers, documents, design files, and source code in San Francisco and Pittsburgh on eight  
26 occasions. In doing so, Uber has made available for inspection over 383,000 emails and  
27 documents; the devices of Gaetan Pennecot, Daniel Gruver, and James Haslim; and all four  
28

1 locations in which there is ongoing LiDAR development. To date, Waymo has conducted  
2 approximately 55 hours of inspection, with additional requests for investigation.

3 Defendants will produce additional non-privileged documents and communications, if  
4 such documents exist and can be located through a reasonably diligent search, regarding the  
5 testing of any Spider optical cavity built by Defendants.

6 Defendants object to this Request to the extent that it seeks information protected by the  
7 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
8 from discovery. Defendants further object to this Request as irrelevant, overbroad, and not  
9 proportional to the needs of the case to the extent that it seeks “all” documents and  
10 communications. Defendants further object to this Request on the grounds that the term  
11 “REGARDING” is vague and ambiguous in the context of this Request.

12

13 **REQUEST FOR PRODUCTION NO. 126:**

14 All DOCUMENTS and COMMUNICATIONS REGARDING the “8 channel demo,” and  
15 any related demonstration(s) of SPIDER, conducted on or around October 13, 2016 (referenced in  
16 the email chain between James Haslim and Scott Boehmke, subject “Re: Demo?” at  
17 UBER00008593).

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 126:**

19 Defendants will produce additional non-privileged documents and communications, if  
20 such documents exist and can be located through a reasonably diligent search, regarding the  
21 “8 channel demo,” and any related demonstration(s) of SPIDER, conducted on or around  
22 October 13, 2016.

23 Defendants object to this Request to the extent that it seeks information protected by the  
24 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
25 from discovery. Defendants object to this Request as irrelevant, overbroad, and not proportional  
26 to the needs of the case to the extent that it seeks “all” documents and communications.

27 Defendants further object to this Request on the grounds that the term “REGARDING” is vague  
28 and ambiguous in the context of this Request.

1

2 **REQUEST FOR PRODUCTION NO. 127:**

3 DOCUMENTS sufficient to show the extent to which the SPIDER optical cavity could  
4 perform light detection and ranging.

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 127:**

6 Defendants have already produced documents responsive to this Request, including, for  
7 example, email correspondence between James Haslim and Scott Boehmke, subject “Re: Demo?”  
8 discussing the eight-channel demonstration (UBER00008593).

9 In addition, Defendants have made available for inspection the Spider components. Uber  
10 has made available for inspection over 383,000 emails and documents; the devices of Gaetan  
11 Pennecot, Daniel Gruver, James Haslim, and Asheem Linaval; and all four locations in which  
12 there is ongoing LiDAR development.

13 Defendants will produce additional non-privileged documents, if such documents exist  
14 and can be located through a reasonably diligent search, sufficient to show the extent to which the  
15 SPIDER optical cavity could perform light detection and ranging.

16 Defendants object to this Request to the extent that it seeks information protected by the  
17 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
18 from discovery.

19

20 **REQUEST FOR PRODUCTION NO. 128:**

21 All DOCUMENTS and COMMUNICATIONS REGARDING the optical layouts  
22 considered for FUJI.

23 **RESPONSE TO REQUEST FOR PRODUCTION NO. 128:**

24 Defendants have already produced documents responsive to this Request, including  
25 without limitation documents produced in connection with the Requests for Production served  
26 with Notices of Deposition for Gaetan Pennecot, Asheem Linaval, and James Haslim.

27 Defendants have also made the Fuji device and CAD files of the Fuji device available for  
28 inspection.

1           In addition, Defendants have made available for inspection Uber’s facilities, email,  
2 computers, documents, design files, and source code in San Francisco and Pittsburgh on eight  
3 occasions. In doing so, Uber has made available for inspection over 383,000 emails and  
4 documents; the devices of Gaetan Pennecot, Daniel Gruver, and James Haslim; and all four  
5 locations in which there is ongoing LiDAR development. To date, Waymo has conducted  
6 approximately 55 hours of inspection, with additional requests for investigation.

7           Defendants will produce additional non-privileged documents and communications, if  
8 such documents exist and can be located through a reasonably diligent search, regarding the  
9 optical layouts considered for the Fuji device.

10           Defendants object to this Request to the extent that it seeks information protected by the  
11 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
12 from discovery. Defendants further object to this Request as irrelevant, overbroad, and not  
13 proportional to the needs of the case to the extent that it seeks “all” documents and  
14 communications. Defendants further object to this Request on the grounds that the term  
15 “REGARDING” is vague and ambiguous in the context of this Request.

16

17 **REQUEST FOR PRODUCTION NO. 129:**

18           All DOCUMENTS and COMMUNICATIONS REGARDING the alignment of the FUJI  
19 diodes with the FUJI receivers.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 129:**

21           On May 24, 2107, Defendants made available—and Waymo inspected—the station used  
22 to align the Fuji receive photodiodes with the Fuji laser diodes.

23           Defendants consider their production to be complete at this time.

24           Defendants object to this Request to the extent that it seeks information protected by the  
25 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
26 from discovery. Defendants further object to this Request as irrelevant, overbroad, and not  
27 proportional to the needs of the case to the extent that it seeks “all” documents and  
28

1 communications. Defendants further object to this Request on the grounds that the term  
2 “REGARDING” is vague and ambiguous in the context of this Request.  
3

4 **REQUEST FOR PRODUCTION NO. 130:**

5 All DOCUMENTS and COMMUNICATIONS REGARDING the design and placement  
6 of the fast-axis collimation (“FAC”) lenses in FUJI.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 130:**

8 Defendants have already produced documents responsive to this Request, including  
9 without limitation documents produced in connection with the Requests for Production served  
10 with Gaetan Pennecot’s and James Haslim’s Notices of Deposition and Expedited Requests for  
11 Production No. 11, 12 and 23. Specifically, Defendants have produced schematics and CAD files  
12 of the FAC lens, email correspondence with [REDACTED] regarding the FAC lens, documents showing  
13 how the placement [REDACTED] is performed, and documents showing the  
14 assembly tools for FAC lenses.

15 In addition, Defendants have made available for inspection the Fuji device. Defendants  
16 have further made available for inspection Uber’s facilities, email, computers, documents, design  
17 files, and source code in San Francisco and Pittsburgh on eight occasions. In doing so, Uber has  
18 made available for inspection over 383,000 emails and documents; the devices of Gaetan  
19 Pennecot and Daniel Gruver; and all four locations in which there is ongoing LiDAR  
20 development.

21 Defendants consider their production to be complete at this time.

22 Defendants object to this Request to the extent that it seeks information protected by the  
23 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
24 from discovery. Defendants further object to this Request as irrelevant, overbroad, and not  
25 proportional to the needs of the case to the extent that it seeks “all” documents and  
26 communications. Defendants further object to this Request on the grounds that the term  
27 “REGARDING” is vague and ambiguous in the context of this Request.  
28

1 **REQUEST FOR PRODUCTION NO. 123 (sic):**

2 DOCUMENTS sufficient to show the development of [REDACTED]

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 123 (sic):**

4 Defendants have already produced documents responsive to this Request, including  
5 without limitation documents produced in connection with the Requests for Production served  
6 with Gaetan Pennecot’s and James Haslim’s Notices of Deposition and Expedited Interrogatory  
7 23. Specifically, Defendants have produced schematics and CAD files of the FAC lens and email  
8 correspondence with [REDACTED]

9 In addition, Defendants have made available for inspection Uber’s facilities, email,  
10 computers, documents, design files, and source code in San Francisco and Pittsburgh on eight  
11 occasions. In doing so, Uber has made available for inspection over 383,000 emails and  
12 documents; the devices of Gaetan Pennecot and Daniel Gruver; and all four locations in which  
13 there is ongoing LiDAR development.

14 Defendants consider their production to be complete at this time.

15 Defendants object to this Request to the extent that it seeks information protected by the  
16 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
17 from discovery.

19 **REQUEST FOR PRODUCTION NO. 131:**

20 All COMMUNICATIONS between any DEFENDANT and [REDACTED] REGARDING FAC  
21 lenses.

22 **RESPONSE TO REQUEST FOR PRODUCTION NO. 131:**

23 Defendants have produced all communications responsive to this request in connection  
24 with Waymo’s Expedited Request for Production No. 23.

25 Defendants consider their production to be complete at this time.

26 Defendants further object to this Request as irrelevant, overbroad, and not proportional to  
27 the needs of the case; specifically, Defendants object that the Request is overbroad as to scope,  
28 subject matter, and time, and is irrelevant and not proportional to the needs of the case to the

1 extent it calls for the production of documents that are unrelated to this litigation. Defendants  
2 additionally object that responding to this Request would be oppressive and unduly burdensome.

3 **REQUEST FOR PRODUCTION NO. 132:**

4 All DOCUMENTS and COMMUNICATIONS REGARDING the design of the transmit  
5 boards in FUJI.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 132:**

7 Defendants have already produced documents responsive to this Request, including  
8 without limitation documents produced in connection with the Requests for Production served  
9 with Notices of Deposition for Daniel Gruver, Asheem Linaval, Scott Boehmke, James Haslim,  
10 and Dr. Michael Lebby. Specifically, Defendants have produced schematic, assembly drawings,  
11 and CAD files of Fuji transmit boards.

12 In addition, Defendants have made available for inspection the Fuji device and its transmit  
13 boards. Defendants have further made available for inspection Uber’s facilities, email,  
14 computers, documents, design files, and source code in San Francisco and Pittsburgh on eight  
15 occasions. In doing so, Uber has made available for inspection over 383,000 emails and  
16 documents; the devices of Gaetan Pennecot, Daniel Gruver, and James Haslim; and all four  
17 locations in which there is ongoing LiDAR development. To date, Waymo has conducted  
18 approximately 55 hours of inspection, with additional requests for investigation.

19 Defendants consider their production to be complete at this time.

20 Defendants object to this Request to the extent that it seeks information protected by the  
21 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
22 from discovery. Defendants further object to this Request as irrelevant, overbroad, and not  
23 proportional to the needs of the case to the extent that it seeks “all” documents and  
24 communications. Defendants further object to this Request on the grounds that the term  
25 “REGARDING” is vague and ambiguous in the context of this Request.

26

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1 **REQUEST FOR PRODUCTION NO. 133:**

2 All DOCUMENTS and COMMUNICATIONS REGARDING the design of the transmit  
3 boards in SPIDER.

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 133:**

5 Defendants have made available for inspection the Spider components and produced  
6 photos taken at the inspection of these components.

7 Defendants have further made available for inspection Uber’s facilities, email, computers,  
8 documents, design files, and source code in San Francisco and Pittsburgh on eight occasions. In  
9 doing so, Uber has made available for inspection over 383,000 emails and documents; the devices  
10 of Gaetan Pennecot, Daniel Gruver, James Haslim, and Asheem Linaval; and all four locations in  
11 which there is ongoing LiDAR development. To date, Waymo has conducted approximately 55  
12 hours of inspection, with additional requests for investigation.

13 Defendants will produce additional non-privileged documents and communications, if  
14 such documents exist and can be located through a reasonably diligent search, sufficient to show  
15 the design of the transmit boards in Spider.

16 Defendants object to this Request as irrelevant, overbroad, and not proportional to the  
17 needs of the case to the extent that it seeks “all” documents and communications. Defendants  
18 further object to this Request on the grounds that the term “REGARDING” is vague and  
19 ambiguous in the context of this Request.

20  
21 **REQUEST FOR PRODUCTION NO. 134:**

22 All DOCUMENTS and COMMUNICATIONS REGARDING the design of the light  
23 sources in OWL.

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 134:**

25 Defendants have already produced documents responsive to this Request, including  
26 without limitation documents produced in connection with the Requests for Production served  
27 with Scott Boehmke’s Notice of Deposition. For example, Defendants produced an Owl brochure  
28 and circuit schematics and certain Altium files from Asheem Linaval’s records.

1 Defendants will produce additional non-privileged documents and communications, if  
2 such documents exist and can be located through a reasonably diligent search, regarding the  
3 design of the light sources in OWL.

4 Defendants object to this Request to the extent that it seeks information protected by the  
5 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
6 from discovery. Defendants further object to this Request as irrelevant, overbroad, and not  
7 proportional to the needs of the case to the extent that it seeks “all” documents and  
8 communications. Defendants further object to this Request on the grounds that the term  
9 “REGARDING” is vague and ambiguous in the context of this Request.

10

11 **REQUEST FOR PRODUCTION NO. 135:**

12 All DOCUMENTS and COMMUNICATIONS REGARDING OTTOMOTTO and/or  
13 UBER’s use of LiDAR developed at TYTO and/or ODIN WAVE.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 135:**

15 Defendants have already produced documents responsive to this Request, including  
16 without limitation documents produced in connection with the Requests for Production served  
17 with the Notices of Deposition for Daniel Gruver, Scott Boehmke, and James Haslim. For  
18 example, Defendants have produced documents from the custodial files of Scott Boehmke  
19 regarding Tyto, as well as documents regarding Spider.

20 Defendants will produce additional non-privileged documents and communications, if  
21 such documents exist and can be located through a reasonably diligent search, regarding Uber’s  
22 use of LiDAR developed at Tyto and/or Odin Wave.

23 Defendants object to this Request to the extent that it seeks information protected by the  
24 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
25 from discovery.

26

27 **REQUEST FOR PRODUCTION NO. 136:**

28 All agreements between Ognen Stojanovski and any DEFENDANT.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 136:**

2 Defendants have already produced non-privileged documents responsive to this Request  
3 in Production Volume 41.

4 Defendants will produce any additional agreements responsive to this request located  
5 through a reasonably diligent search.

6 Defendants object to this Request to the extent that it seeks information protected by the  
7 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
8 from discovery.

9  
10 **REQUEST FOR PRODUCTION NO. 137:**

11 All agreements between Ognen Stojanovski and TYTO and/or ODIN WAVE.

12 **RESPONSE TO REQUEST FOR PRODUCTION NO. 137:**

13 After a diligent search and reasonable inquiry, Defendants respond that there are no  
14 documents responsive to this Request.

15  
16 **REQUEST FOR PRODUCTION NO. 138:**

17 All agreements between and Ognen Stojanovski, on the one hand, and DOGWOOD  
18 LEASING, POUCH HOLDINGS, and/or APPARATE INTERNATIONAL, on the other.

19 **RESPONSE TO REQUEST FOR PRODUCTION NO. 138:**

20 After a diligent search and reasonable inquiry, Defendants respond that there are no  
21 documents responsive to this Request.

22  
23 **REQUEST FOR PRODUCTION NO. 139:**

24 All COMMUNICATIONS with GORILLA CIRCUITS.

25 **RESPONSE TO REQUEST FOR PRODUCTION NO. 139:**

26 Defendants have already produced non-privileged, responsive emails between Uber  
27 employees and Gorilla Circuits in Defendants’ production pursuant to Expedited Request for  
28 Production No. 1.

1 Defendants consider their production to be complete at this time.

2 To the extent this Request seeks anything other than the previously described information,  
3 Defendants object to this Request as irrelevant, overbroad, unduly burdensome, and not  
4 proportional to the needs of the case insofar as it seeks “All COMMUNICATIONS” and fails to  
5 contain any reasonable restrictions or limitations as to scope, subject matter, and time period.

6

7 **REQUEST FOR PRODUCTION NO. 140:**

8 DOCUMENTS sufficient to show the circuitry that fires the light sources in SPIDER and  
9 FUJI, INCLUDING any circuitry that connects between the light sources and a voltage source.

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 140:**

11 Defendants have already produced documents responsive to this Request, including  
12 without limitation the ten laser diode firing circuits considered for Fuji, the two versions of Fuji’s  
13 current circuitry, and certain Altium files from Asheem Linaval’s records.

14 In addition, Defendants have made available for inspection the Fuji device and Spider  
15 components. Defendants have further made available for inspection Uber’s facilities, email,  
16 computers, documents, design files, and source code in San Francisco and Pittsburgh on eight  
17 occasions. In doing so, Uber has made available for inspection over 383,000 emails and  
18 documents; the devices of Asheem Linaval; and all four locations in which there is ongoing  
19 LiDAR development.

20 Defendants will produce additional non-privileged documents, if such documents exist  
21 and can be located through a reasonably diligent search, sufficient to show the circuitry that fires  
22 the light sources in the Spider components and the Fuji device.

23 Defendants object to this Request to the extent that it seeks information protected by the  
24 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
25 from discovery.

26

27

28

1 **REQUEST FOR PRODUCTION NO. 141:**

2 All DOCUMENTS and COMMUNICATIONS REGARDING the change in the name of  
3 ODIN WAVE and/or TYTO from “Odin Wave, LLC” to “Tyto LiDAR LLC,” INCLUDING  
4 (without limitation) the reasons for the change and the identity of all PERSONS involved in the  
5 decision to change the name.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 141:**

7 Defendants will produce non-privileged DOCUMENTS and COMMUNICATIONS  
8 responsive to this Request located through a reasonably diligent search.

9 Defendants object to this Request to the extent that it seeks information protected by the  
10 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
11 from discovery.

12 **REQUEST FOR PRODUCTION NO. 142:**

13 All DOCUMENTS and COMMUNICATIONS REGARDING the move of ODIN WAVE  
14 and/or TYTO from the location at [REDACTED] to the location at 1649 Neptune  
15 Drive, San Leandro, INCLUDING (without limitation) the reasons for the move and the identity  
16 of all PERSONS involved in the decision to move.

17 **RESPONSE TO REQUEST FOR PRODUCTION NO. 142:**

18 Defendants will produce non-privileged DOCUMENTS and COMMUNICATIONS  
19 responsive to this Request, if any, located through a reasonably diligent search.

20 Defendants object to this Request to the extent that it seeks information protected by the  
21 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
22 from discovery.

23 **REQUEST FOR PRODUCTION NO. 143:**

24 All COMMUNICATIONS between ODIN WAVE and/or TYTO and OMW  
25 REGARDING fastener counterbalance arch components.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 143:**

2 Defendants will produce non-privileged COMMUNICATIONS responsive to this  
3 Request, if any, located through a reasonably diligent search.

4 Defendants object to this Request to the extent that it seeks information protected by the  
5 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
6 from discovery.

7

8 **REQUEST FOR PRODUCTION NO. 144:**

9 All COMMUNICATIONS between ODIN WAVE and/or TYTO and OFS REGARDING  
10 fiber lasers and fiber laser components.

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 144:**

12 Defendants will produce non-privileged COMMUNICATIONS responsive to this  
13 Request, if any, located through a reasonably diligent search.

14 Defendants object to this Request to the extent that it seeks information protected by the  
15 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
16 from discovery.

17

18 **REQUEST FOR PRODUCTION NO. 145:**

19 All DOCUMENTS and COMMUNICATIONS REGARDING the design or development  
20 of any LiDAR, radar, camera, microphone, audio input or output, manual controller, wireless  
21 communication system, display, wheel or pedal sensor or controller systems developed or  
22 contemplated by DEFENDANTS that mention or refer to WAYMO or GOOGLE.

23 **RESPONSE TO REQUEST FOR PRODUCTION NO. 145:**

24 Defendants have already produced documents responsive to this Request, including  
25 without limitation notes from John Bares in connection with his Notice of Deposition.

26 In addition, Defendants have made available for inspection Uber’s facilities, email,  
27 computers, documents, design files, and source code in San Francisco and Pittsburgh on eight  
28 occasions. In doing so, Uber has made available for inspection over 383,000 emails and

1 documents; the devices of Anthony Levandowski, Gaetan Pennecot, Daniel Gruver, James  
2 Haslim, and Asheem Linaval; and all four locations in which there is ongoing LiDAR  
3 development. To date, Waymo has conducted approximately 55 hours of inspection, with  
4 additional requests for investigation.

5 Defendants will produce additional non-privileged documents and communications, if  
6 such documents exist and can be located through a reasonably diligent search, regarding the  
7 design or development of LiDARs developed or contemplated by Defendants that discuss or refer  
8 to Waymo or Google in any substantive or material sense.

9 To the extent this Request seeks anything other than the previously described information,  
10 Defendants object to this Request as vastly overbroad, unduly burdensome, outside the scope of  
11 this litigation, harassing, and not proportional to the needs of the case because it concerns “all  
12 documents” and “communications” regarding virtually anything developed by Defendants.  
13 Defendants object to the portion of this request seeking documents concerning “all” “radar,  
14 camera, microphone, audio input or output, manual controller, wireless communication system,  
15 display, wheel or pedal sensor or controller systems” as irrelevant. Defendants further object to  
16 this Request as overbroad and unduly burdensome to the extent that it purports to require  
17 production of documents that merely “mention” Waymo or Google. Defendants further object to  
18 this Request to the extent that it seeks information protected by the attorney-client privilege or the  
19 work product doctrine or that is otherwise privileged or protected from discovery.

20

21 **REQUEST FOR PRODUCTION NO. 146:**

22 All DOCUMENTS REGARDING DEFENDANTS’ knowledge of each of the  
23 ASSERTED PATENTS, INCLUDING (without limitation) when each DEFENDANT first  
24 became aware of each of the ASSERTED PATENTS.

25 **RESPONSE TO REQUEST FOR PRODUCTION NO. 146:**

26 Defendants will produce non-privileged documents, if such documents exist and can be  
27 located through a reasonably diligent search, regarding this request.

28

1 Defendants object to this Request to the extent that it seeks information protected by the  
2 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
3 from discovery. Defendants further object to this Request on the grounds that Plaintiffs’ request  
4 for documents regarding Defendants’ “knowledge” implicates Waymo’s overbroad definitions,  
5 which consider Uber and Ottomotto to be the entities themselves, as well as any number of  
6 agents, employees, and other related persons or entities, thus rendering this Request overbroad  
7 and vague and ambiguous.

8 **REQUEST FOR PRODUCTION NO. 147:**

9 All DOCUMENTS REGARDING any CONTENTION by any DEFENDANT that any  
10 claim of the ASSERTED PATENTS is invalid.

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 147:**

12 Defendants will produce invalidity contentions pursuant to Patent Local Rules 3-3 and 3-  
13 4.

14 Defendants object to this Request to the extent that it seeks information protected by the  
15 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
16 from discovery. Defendants further object to this Request on the grounds that it seeks a legal  
17 conclusion. Defendants further object to this Request as premature to the extent it seeks expert  
18 testimony.

19

20 **REQUEST FOR PRODUCTION NO. 148:**

21 All DOCUMENTS REGARDING the invalidity, validity, unenforceability, or  
22 enforceability of the ASSERTED PATENTS, including any DOCUMENTS REGARDING any  
23 contention by DEFENDANTS that any asserted claim of the ASSERTED PATENTS are invalid  
24 or unenforceable.

25 **RESPONSE TO REQUEST FOR PRODUCTION NO. 148:**

26 Defendants will produce invalidity contentions pursuant to Patent Local Rules 3-3 and 3-  
27 4.

28

1 Defendants object to this Request to the extent that it seeks information protected by the  
2 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
3 from discovery. Defendants further object to this Request on the grounds that it seeks a legal  
4 conclusion. Defendants further object to this Request as premature to the extent it seeks expert  
5 testimony.

6

7 **REQUEST FOR PRODUCTION NO. 149:**

8 All DOCUMENTS REGARDING any CONTENTION by DEFENDANTS that FUJI  
9 does not infringe any asserted claim of the ASSERTED PATENTS.

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 149:**

11 Defendants have already produced documents responsive to this Request, including  
12 without limitation photos, CAD files and circuit designs for Fuji.

13 In addition, Defendants have made available for inspection the Fuji device. Defendants  
14 have further made available for inspection Uber’s facilities, email, computers, documents, design  
15 files, and source code in San Francisco and Pittsburgh on eight occasions. In doing so, Uber has  
16 made available for inspection over 383,000 emails and documents; the devices of Gaetan  
17 Pennecot, Daniel Gruver, James Haslim, and Asheem Linaval; and all four locations in which  
18 there is ongoing LiDAR development.

19 Defendants will produce additional non-privileged documents in support of their non-  
20 infringement contentions.

21 Defendants object to this Request to the extent that it seeks information protected by the  
22 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
23 from discovery. Defendants further object to this Request on the grounds that it seeks a legal  
24 conclusion. Defendants further object to this Request as premature to the extent it seeks expert  
25 testimony.

26

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1 **REQUEST FOR PRODUCTION NO. 150:**

2 All DOCUMENTS REGARDING any CONTENTION by DEFENDANTS that SPIDER  
3 does not infringe any asserted claim of the ASSERTED PATENTS.

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 150:**

5 Defendants have already produced documents responsive to this Request, including  
6 without limitation photos of Spider components, including without limitation from Waymo’s  
7 inspection on April 19, 2017.

8 In addition, Defendants have made available for inspection the Spider components.  
9 Defendants have further made available for inspection Uber’s facilities, email, computers,  
10 documents, design files, and source code in San Francisco and Pittsburgh on eight occasions. In  
11 doing so, Uber has made available for inspection over 383,000 emails and documents; the devices  
12 of Anthony Levandowski, Gaetan Pennecot, Daniel Gruver, James Haslim, and Asheem Linaval;  
13 and all four locations in which there is ongoing LiDAR development.

14 Defendants will produce additional non-privileged documents in support of their non-  
15 infringement contentions.

16 Defendants object to this Request to the extent that it seeks information protected by the  
17 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
18 from discovery. Defendants further object to this Request on the grounds that it seeks a legal  
19 conclusion. Defendants further object to this Request as premature to the extent it seeks expert  
20 testimony.

21  
22 **REQUEST FOR PRODUCTION NO. 151:**

23 All DOCUMENTS and THINGS that any DEFENDANT contends constitute, comprise,  
24 or embody PRIOR ART to the ASSERTED PATENTS.

25 **RESPONSE TO REQUEST FOR PRODUCTION NO. 151:**

26 Defendants have already produced documents responsive to this Request, including  
27 without limitation documents produced in connection with the Requests for Production served  
28 with the Notices of Deposition of Dr. Paul McManamon and Dr. Michael Lebby.

1           Defendants will formally produce additional prior art referenced in the Declarations of Dr.  
2 Paul McManamon and Dr. Michael Lebby. Defendants will also produce additional prior art  
3 documents pursuant to Patent Local Rules 3-3 and 3-4.

4           Defendants object to this Request to the extent that it seeks information protected by the  
5 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
6 from discovery. Defendants further object to this Request on the grounds that it seeks a legal  
7 conclusion.

8

9 **REQUEST FOR PRODUCTION NO. 152:**

10           All DOCUMENTS that embody, comprise, or REGARD any study, analysis, review or  
11 opinion (including opinions of counsel), conclusions, or contentions REGARDING the validity or  
12 invalidity, infringement or non-infringement, enforceability or unenforceability, interpretation or  
13 scope of any of the claims of any of the ASSERTED PATENTS or any related patents, regardless  
14 of from whom such opinions, conclusions, or contentions were obtained, INCLUDING without  
15 limitation, any studies, reports, or competitive comparisons made with respect to acts done,  
16 products sold, methods or systems used or services offered by DEFENDANTS or by any third  
17 party.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 152:**

19           Defendants object to this Request to the extent that it seeks information protected by the  
20 attorney-client privilege or the work product doctrine or that is otherwise privileged or protected  
21 from discovery. Defendants further object to this Request on the grounds that it seeks a legal  
22 conclusion. Defendants also object to this Request as improperly compound, as it seeks  
23 documents and communications regarding multiple separate categories of information.

24           Defendants will not produce documents in response to this Request.

1 Dated: June 26, 2017

MORRISON & FOERSTER LLP

2 By: /s/ Arturo J. González  
3 ARTURO J. GONZÁLEZ

4 Attorneys for Defendants  
5 UBER TECHNOLOGIES, INC.  
and OTTOMOTTO LLC

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1 **APPENDIX**

2 **Information on Document Collections and**  
3 **Production Under Supplemental Order ¶ 13**

4 Defendants further provide information on their collection efforts under Paragraph 13 of  
5 the Supplemental Order. As of June 26, 2017, Defendants have searched the following sources of  
6 information that may contain material responsive to Waymo’s requests for production:

- 7 • Defendants’ custodial document repositories (e.g., email repositories, Google  
8 Docs, locally stored electronic documents)
- 9 • Defendants’ internal non-custodial document repositories (e.g., Slack channels, Git  
10 repository, LiDAR-related servers, personnel files)
- 11 • Publicly available websites on the Internet
- 12 • Data room for the Uber – Ottomotto acquisition transaction

13 As of June 26, 2017, the following individuals employed by Defendants have searched for  
14 documents that may contain material responsive to Waymo’s requests for production:

- 15 • Niranjan Arigai (Operations Program Manager) – documents relating to LiDAR  
16 designs and development
- 17 • John Bares (Operations Director) – documents and email communications relating  
18 to LiDAR-related milestones
- 19 • Ben Becker (Software Engineer) – documents relating to LiDAR designs and  
20 development
- 21 • Adam Bentley (Counsel) – documents related to Ottomotto, LLC and Otto  
22 Trucking, LLC data room, corporate formation documents for the same, and Tyto  
23 Lidar, LLC
- 24 • Marlon Bocalan (Engineer) – documents relating to LiDAR designs and  
25 development
- 26 • Scott Boehmke (Engineering Manager) – documents and email communications  
27 relating to LiDAR designs and development
- 28 • Felipe Caldeira (Supply Chain Engineer) – documents relating to LiDAR designs

1 and development

2 • Melanie Day (Software Engineer) – documents relating to LiDAR designs and

3 development

4 • Carolyn Finney (Mechanical Design Engineer) – documents relating to LiDAR

5 designs and development

6 • Jim Gasbarro (Hardware Engineer) – documents relating to LiDAR designs and

7 development

8 • Andrew Glickman (Senior Counsel) – electronic documents and email data

9 • Daniel Gruver (Engineer, Program Manager) – documents and email

10 communications relating to LiDAR designs and development

11 • James Haslim (Senior Engineering Manager) – documents and email

12 communications relating to LiDAR designs and development

13 • Jeff Holden (Chief Product Officer) – electronic documents and email data

14 • Florin Ignatescu (Electrical Engineer) – documents and email communications

15 relating to LiDAR designs and development

16 • Mike Karasoff (Software Engineer) – documents relating to LiDAR designs and

17 development

18 • Adam Kenvarg (Mechanical Engineer) – documents relating to LiDAR designs

19 and development

20 • George Lagui (Engineer) – documents relating to LiDAR designs and

21 development

22 • Anthony Levandowski (former Head of Advanced Technologies Group) – email

23 data and text messages

24 • Max Levandowski (Mechanical Engineer) – documents and email communications

25 relating to LiDAR designs and development

26 • Asheem Linaval (Hardware Engineer) – documents and email communications

27 relating to LiDAR designs and development

28 • Tri Luong (Electrical Engineer) – documents relating to LiDAR designs and

1 development

2 • Christian Lynn (Director, Corporate Legal Affairs) – electronic documents and

3 email data

4 • Mark Marzona (Test Engineer) – documents relating to LiDAR designs and

5 development

6 • Eric Meyhofer (Head of Advanced Technologies Group) – documents relating to

7 LiDAR designs and development

8 • Matthew Palomar (Hardware Engineer) – documents relating to LiDAR designs

9 and development

10 • Gaetan Pennecot (Optical Engineer) – documents and email communications

11 relating to LiDAR designs and development

12 • Cameron Poetzscher (Vice President, Corporate Development) – electronic

13 documents and email data

14 • Nina Qi (Senior Manager, Corporate Development) – electronic documents and

15 email data

16 • Daniel Ratner (Mechanical Engineer) – documents relating to LiDAR designs and

17 development

18 • Ana Rayo (Engineer) – documents relating to LiDAR designs and development

19 • Ognen Stojanovski (Government Relations) – electronic documents and email data

20 • John Tobias (Software Engineer) – documents relating to LiDAR designs and

21 development

22 • William Treichler (Layout Engineer) – documents relating to LiDAR designs and

23 development

24 • Filip Trojanek (Engineer) – documents and email communications relating to

25 LiDAR designs and development

26 • Vitaly Winter (Senior Test Development Engineer) – documents relating to

27 LiDAR designs and development

28 • Steven Wu (Global Product Operations) – documents and email communications

relating to LiDAR designs and development

- Jessica Yox (Mechanical Engineer) – documents relating to LiDAR designs and development

## **CERTIFICATE OF SERVICE**

I declare that I am employed with the law firm of Morrison & Foerster LLP, whose address is 755 Page Mill Road, Palo Alto, CA 94304. I am not a party to the within cause, and I am over the age of eighteen years.

I further declare that on June 26, 2017, I served true and correct copies of the following documents:

- DEFENDANTS UBER TECHNOLOGIES, INC. AND OTTOMOTTO LLC'S OBJECTIONS AND RESPONSES TO WAYMO'S SECOND SET OF REQUESTS FOR PRODUCTION (NOS. 92-152)

**BY ELECTRONIC SERVICE [Fed. Rule Civ. Proc. rule 5(b)]** by electronically mailing a true and correct copy through Morrison & Foerster LLP's electronic mail system to the e-mail address(es) set forth below, or as stated on the attached service list per agreement in accordance with Federal Rules of Civil Procedure rule 5(b).

| Recipient                        | Email Address:   |
|----------------------------------|--|
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| <i>Special Master</i>                            |   |  |

11 I declare under penalty of perjury that the foregoing is true and correct. Executed at Palo  
 12 Alto, California, this 26th day of June 2017.

13 \_\_\_\_\_ *Ethel Villegas* \_\_\_\_\_ /s/ *Ethel Villegas*  
 14 \_\_\_\_\_ (typed) \_\_\_\_\_ (signature)